

to reduce, lower, or injuriously affect their quality or strength and had been substituted in part for the said articles.

Misbranding was alleged for the reason that the statements "Pure * * * Currant Jelly" and "Pure * * * Grape Jelly," as the case might be, borne on the labels, were false and misleading and deceived and misled the purchaser.

On May 18, 1926, Richard Brinkman, claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that they be relabeled under the supervision of this department as follows: "Mrs. Brinkman's Home Made Style Apple Pectin Grape" (or "Currant") "Jelly."

W. M. JARDINE, *Secretary of Agriculture.*

14347. Adulteration and alleged misbranding of ether. U. S. v. 87 Cans, et al., of Ether. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 21036, 21038, 21039. I. S. Nos. 10623-x, 10625-x, 10655-x. S. Nos. W-1911, W-1962, W-1963.)

On April 26, 1926, the United States attorney for the Northern District of California, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 1 case and 287 cans of ether, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by Powers-Weightman-Rosengarten Co., in part from St. Louis, Mo., in part from Philadelphia, Pa., and in part from New York, N. Y., on or about the respective dates of February 10 and 24 and March 11, 1926, and transported from the respective States of Missouri, Pennsylvania, and New York into the State of California, and charging adulteration and misbranding with respect to a portion of the article, and adulteration with respect to the remainder thereof, in violation of the food and drugs act. Two hundred cans of the product were labeled in part: "Ether U. S. P. Concentrated * * * This Ether is not intended for Anaesthesia * * * Powers-Weightman-Rosengarten Co. Philadelphia." The remaining 88 cans of the product were labeled in part: "Ether U. S. P. For Anaesthesia Powers-Weightman-Rosengarten Co. Philadelphia."

Analysis by the Bureau of Chemistry of this department of samples of the article showed that it contained peroxide, and a portion of it also contained aldehyde.

Adulteration of the article was alleged in the libels for the reason that it contained peroxide, or peroxide and aldehyde, and was sold under a name recognized in the United States Pharmacopœia and differed from the standard prescribed by the said pharmacopœia, and for the further reason that it fell below the professed standard under which it was sold.

Misbranding was alleged with respect to a portion of the product for the reason that the statement borne on the cans containing the said portion, "Ether U. S. P. For Anaesthesia," was false and misleading.

On May 25, 1926, the Powers-Weightman-Rosengarten Co., Philadelphia, Pa., having appeared as claimant for the property and having consented to the entry of decrees, judgments of the court were entered, finding the product adulterated and ordering its condemnation, and it was further ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$155, conditioned in part that it be brought into conformity with the law under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

14348. Adulteration and misbranding of vanilla extract. U. S. v. 59 Dozen Bottles of Vanilla Extract. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20104. I. S. No. 14196-v. S. No. E-5319.)

On or about June 25, 1925, the United States attorney for the District of Delaware, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 59 dozen bottles of vanilla extract, remaining unsold in the original unbroken packages at Wilmington, Del., alleging that the